IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5757 of 2005

Between:

B. Vijayalaxmi, W/o. Vinod,
Kindibasthi, Medchal, R.R.District.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad./
2 The Inspector of Police, Chilakalaguda P.S., Scunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ, order or direction, more particularly one in the nature writ of mandamus to declare the inaction of the respondents without registering the case basing on my complaint Dt. 9.3.2005 as illegal, arbitrary and against to the principles of natural justice and pass such other order or orders.

Counsel for the Petitioner: MR.KILARUKHADER BABA

Counsel for the Respondents: GP FOR HOME

The Court, at the admission stage, made the following:

HONOURABLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION No.5757 of 2005

ORAL ORDER:

Heard both sides.

The grievance of the petitioner is that the complaint, dated 09-03-2005, given by her to the respondents against her husband and others, is not being investigated into by the respondents. A copy of the said complaint is filed before this Court along with the writ petition.

2. However, whenever any complaint is received, it is incumbent upon the respondents to register the complaint as F.I.R. and investigate into the same, irrespective of the truth or otherwise of the complaint so received by them.

3. Having regard to the facts and circumstances of the case, suffice it to direct the 2nd respondent to register the complaint dated 09-03-2005, said to have been lodged by the petitioner, as F.I.R. and proceed with the investigation as required under law. In this regard, the Government Pleader for Home is also directed to forward the complaint, dated
09-03-2005, which was filed along with this writ petition, to the Station House Officer concerned for taking further action in accordance with law.

4. With the above observations and directions, the writ petition is disposed of, at the admission stage. No costs.

21st March, 2005 D.S.R.VARMA, J

Note:

Issue C.C. in three days.

B/o.

KVR

To

1 The Commissioner of Police, Hyderabad./
2 The Inspector of Police, Chilakalaguda P.S., Scunderabad.

3 Two C.Cs to the GP for Home, AP High Court Buildings,

High Court of AP, Hyderabad. (O.U.T.).

4 Two C.Ds.

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

WRIT PETITION No. 5757 Of 2005

21st March 2005